

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FRONTIER FISHING CORP.

Plaintiff,

v.

DONALD EVANS, Secretary of the  
UNITED STATES DEPARTMENT OF  
COMMERCE; AND CONRAD C.  
LAUTENBACHER JR. UNDER SECRETARY  
FOR OCEANS AND  
ATMOSPHERE/ADMINISTRATOR AND  
DEPUTY UNDER SECRETARY

Defendants.

CIVIL ACTION  
NO.04-11171-DPW

**ASSENTED TO MOTION OF THE PLAINTIFF TO EXTEND TIME FOR FILING OF  
BRIEFS AND OPPOSITION**

Now comes the Plaintiff, Frontier Fishing Corp. and seeks an extension of thirty days for filing of briefs and oppositions thereto. Defendants have assented to this Motion. As grounds therefore, Plaintiff states:

This is an administrative record review case appealing a decision of an administrative law judge.

No extensions of time have been requested to date.

The administrative record for the case has been compiled and Plaintiff has recently discovered what is believed to be additional evidence that may merit a remand to the agency. The parties intend to discuss the potential for such a remand in lieu of the instant appeal and Plaintiff believes additional time to allow the parties exhaust the possibility of such a remand is in the best interest of the parties and the Court.

For these reasons, Plaintiff requests, and the Defendants assent to, an extension of thirty days to the current dates for filing briefs and oppositions.

Wherefore fore, the Plaintiff prays that the time for filing Plaintiff's motion for summary judgment be extended to by January 15, 2005; Defendants' opposition to Plaintiff's motion for

summary judgment, and any cross-motion for summary judgment be filed by February, 2005;  
and any reply/opposition to cross motion for summary judgment be filed by March 15, 2005.

Respectfully submitted this 6th day of December, 2004,

Moving Party  
**FRONTIER FISHING CORP.**  
By its attorneys,

Assented to  
**DONALD EVANS and**  
**CONRAD C. LAUTENBACHER, JR.**  
By their attorneys,

Stephen M. Ouellette /s/  
Stephen M. Ouellette, Esquire  
BBO No.: 543752  
David S. Smith, Esquire  
BBO No.: 634865  
CIANCIULLI & OUELLETTE  
163 Cabot Street  
Beverly, MA 01915  
Tel: (978) 922-9933  
Fax: (978) 922-6142

Anita Johnson /s/ (by SMO)  
MICHAEL J. SULLIVAN  
Anita Johnson  
United States Attorney  
District of Massachusetts  
One Courthouse Way  
Boston, MA 02210  
617-748-3100